

ESTTA Tracking number: **ESTTA315416**

Filing date: **11/05/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91191712
Party	Plaintiff KELLOGG NORTH AMERICA COMPANY
Correspondence Address	Lisabeth H. Coakley Harness, Dickey & Pierce, P.L.C. 5445 Corporate Drive, Suite 200 Troy, MI 48098 UNITED STATES coakley@hdp.com, tjcomparoni@hdp.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Elizabeth K. Brock
Filer's e-mail	ebrock@hdp.com, tjcomparoni@hdp.com
Signature	/ekb/
Date	11/05/2009
Attachments	91191712 -- TONY -- Suspension.pdf (3 pages)(71643 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Kellogg North America Company)	
Opposer,)	
)	Opposition No. 91191712
v.)	Serial No. 77/454574
)	Mark: TONY
Tainan Enterprises Co., Ltd.)	
Applicant.)	
)	

CONSENTED MOTION TO SUSPEND PROCEEDINGS

Opposer, Kellogg North America Company, respectfully requests these proceedings be suspended for a period of ninety (90) days in order to allow the parties additional time to pursue settlement in this matter subject to the right of either party to request resumption at any time. M. Scott Alprin, counsel for applicant, consented to this Motion to Suspend during the initial discovery conference.

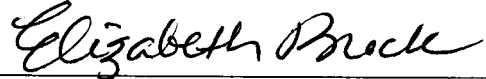
Since this request is made for good cause and not made for purposes of delay, and since the initial discovery conference has now been conducted, it is respectfully requested that proceedings be suspended and discovery and trial dates be reset as indicated below:

Proceedings Resume	02/03/10
Discovery Opens	03/05/10
Initial Disclosures Due	04/04/10
Expert Disclosures Due.....	08/02/10
Discovery Closes	09/01/10
Plaintiff's Pretrial Disclosures	10/16/10
Plaintiff's 30-Day Trial Period Ends	11/30/10

Defendant's Pretrial Disclosures..... 12/15/10
Defendant's 30-Day Trial Period Ends..... 01/29/11
Plaintiff's Rebuttal Disclosures 02/13/11
Plaintiff's 15-Day Rebuttal Period Ends..... 03/15/11

Respectfully submitted,

Date: November 5, 2009

By: 
Lisabeth H. Coakley, Esq.
Elizabeth K. Brock, Esq.
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Attorneys for Kellogg North America
Company

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CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing **Consented Motion to Suspend Proceedings** has been served on the following counsel for Applicant by mailing said copy on November 5, 2009, via First Class Mail, postage prepaid to:

M. Scott Alprin
Rabin & Berdo, P.C.
Suite 500, 1101 14th Street, NW
Washington, DC 20005


Timothy J. Comparoni